



EXECUTIVE CHAMBERS  
Honolulu

BENJAMIN J. CAYETANO  
GOVERNOR

November 5, 1997

ADMINISTRATIVE DIRECTIVE NO. 97-03

TO: All Department and Agency Heads

SUBJECT: Non-Discrimination to Programs, Services, and Activities of the State  
of Hawaii on the Basis of Disability


The State of Hawaii shall ensure that no qualified individual with a disability is excluded from participation in, denied the benefits of, or is otherwise subjected to discrimination any program, service, or activity of the State of Hawaii, on the basis of disability. Individuals with disabilities must be assured an equal opportunity to participate in the programs, services, and activities offered by State government departments and agencies. This right includes not only the opportunity to participate, but an opportunity that is equally effective as that provided to individuals without disabilities.

Services and programs of the State of Hawaii shall be delivered in the most integrated setting appropriate to the individual's level of need. The integration of individuals with disabilities is the goal of the law and our goal.

In the delivery of programs, services, and activities, the State of Hawaii departments and agencies shall not use eligibility criteria that screen out or tend to screen out individuals with disabilities unless such eligibility criteria are necessary for the provision of the program, service, or activity.

Furthermore, the State of Hawaii departments and agencies shall not have policies that are discriminatory or engage in actual practices that are discriminatory. When implementing actions which are required to provide equal access, departments and agencies shall not assess a surcharge on individuals with disabilities to offset the costs associated with providing the access.

Policies, practices, and procedures of departments and agencies must be modified when necessary to avoid discrimination against individuals with disabilities, unless to do so would fundamentally alter the nature of the program, service, or activity or create undue administrative or financial burdens.



BENJAMIN J. CAYETANO